

Clean Water Act Section 604(b) Grant Work Plan

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For

April 1, 2012 - March 31, 2013

NYSDEC: Joseph DiMura, CWA §604 (b) Coordinator, DEC,
625 Broadway, Albany, NY 12233-3500

USEPA: Martha Isaac, CWA §604 (b) Coordinator, EPA,
25th Floor, 290 Broadway, New York, NY, 10007-1866

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Strategic Goals & Objectives
FY 2011-2015 EPA Strategic Plan

Essential Element 1
Goal 2: Protecting America's Waters

Essential Element 2
Objective 2.2: Protect and Restore Watersheds and Aquatic Ecosystems.

Components	Narrative	Indicators	FY 11 Performance Activity Measures
Component # 1 of 3 - Water Quality Management Planning			
Under Clean Water Act (CWA) Title 2 §205 (j), EPA provided funding to States to carry out water quality management planning (WQMP) efforts including, but not limited to, activities under CWA §205 (j) and §303(e). CWA §205(j)(3) required the State to allocate at least 40% of those funds to eligible regional public comprehensive planning organizations or interstate organizations (RPCPOs/IOs)			

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for the development and implementation of a plan for carrying out the WQMP program. CWA Title 6 §604(b) continued authorization for allotment of the funds to states in accordance with Section 205(j). EPA Headquarters and EPA Region 2 Letters and Memoranda dated 08/18/87, 10/27/87, 03/7/90, 04/19/90, 4/11/91, 6/21/91, 6/26/91 and 08/02/91 required the continuation of the 40% allocation to RPCPO/IPOs.			
Components	Narrative	Indicators	FY 11 Performance Activity Measures
a. (Sue Van Patten) (Seth Ausubel)	<p>DEC will comply with the requirements of CWA §604(b) Pass-Thru Funds Memorandum of Agreement (MOA), executed on July 18, 1996, as long as it remains in effect.</p> <p>DEC staff will review and approve 604(b) pass-through funding for each grant recipients' work plans and</p>	<p>Progress Through 9/30/12 Reported on 10/31/12 and Progress Through 3/31/13 and Reported on 4/30/13</p> <p>The approved individual project work plans will be e-mailed to EPA by December 31.</p> <p>The 604(b) Pass-Through Fiscal Report will be e-mailed</p>	

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	<p>budgets for each year of the four-year contracts.</p> <p>DEC will provide EPA with information on an annual basis summarizing the 604(b) and state-supported water quality management projects contributing to restoration of impaired waterbodies and watersheds.</p>	annually to EPA by December 31.	
b. (Sue Van Patten) (Seth Ausubel)	DEC will continue to restore and protect New York's watersheds by increasing public awareness and understanding of issues as well as through partnerships for action.	Progress Through 9/30/12 Reported on 10/31/12 and Progress Through 3/31/13 and Reported on 4/30/13	
Component #2 of 3 Water Quality Standards	The Water Quality Standards Program operates under Section 303 of the Clean Water Act, and requires each state to adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Act as defined in sections 101(a)(2) and 303 (c).		

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<u>Components</u>	<u>Narrative</u>	<u>Indicators</u>	<u>FY 11 Performance Activity Measures</u>
a. (Scott Stoner)(Wayne Jackson)	DEC will continue to implement a State Water Quality Standards Program. DEC will propose for public comment a revision of TOGS 1.1.1 “Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations.” Building upon previous collaboration, DEC will work with EPA to finalize specific areas to be addressed in the next standards (amendments to 6 NYCRR Parts 700-706). DEC will work to identify an appropriate mechanism to address waters with low D.O. due to natural conditions and continue development of nutrient criteria as detailed in the NYS Nutrient Standards Plan, mutually agreed upon by DEC and EPA. DEC will continue to prepare rulemaking documents for the reclassification of the Lake Champlain and St. Lawrence River drainage basins (6	Progress Through 9/30/12 Reported on 10/31/12 and Progress Through 3/31/13 and Reported on 4/30/13	Note: NYSDEC’s commitments for developing nutrient criteria (i.e., WQ 1a, 1b and 1c) are included in the State’s Clean Water Act Section 604(b) Grant Work Plan For Stimulus Funds April 1, 2009 - March 31, 2011 WQ-3a: Number, and national percent, of States and Territories that within the preceding three year period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific information from EPA or other resources not considered in the previous standards. NY=s Draft commitment = 1 WQ-4a Percent of State/Territorial water quality standards submissions (received in the 12 month period ending April 30th of the fiscal year) that are approved

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	NYCRR Parts 830 and 910, respectively), DEC will continue to participate in the national Water Quality Standards Manager's Association (WQSMA).		by EPA. Partial approvals receive fractional credit. NY=s Draft commitment = N/A
<u>Components</u> Component #3 of 3 – TMDLs a. (Ron Entringer)(Rosella O'Connor):	<u>Narrative</u> DEC will continue ongoing work developing TMDLs, some of which are not expected to be completed during this PPG time frame, and complete work on Upper Mohawk and Nine Mile Creek, and submit to EPA an approvable TMDL in time to be approved by September 30, 2012. NYSDEC and EPA have discussed the completion of two small lakes: Basic Creek Reservoir and Robinson Pond; TMDLs to be submitted in time for EPA to approve by March 31, 2013.	<u>Indicators</u> Progress Through 9/30/12 Reported on 10/31/12 and Progress Through 3/31/13 and Reported on 4/30/13	<u>FY 11 Performance Activity Measures</u> WQ 8b = Number of TMDLs established by States and approved by EPA. NY's commitment = 2 TMDLs for FFY 2011.
b. (Ron Entringer) (Rosella O'Connor)	NYSDEC and EPA will agree, by September 1, 2012, on the list of waters/pollutants for which TMDLs will be established by the State and submitted to EPA for its review and approval by Sept. 30, 2013.	Progress Through 9/30/12 Reported on 10/31/12 and Progress Through 3/31/13 and Reported on 4/30/13	

c. (Ken Kosinski/Lorraine Holdridge) (Rosella O'Connor)	NYSDEC will complete a multiple discharge variance for PCBs (MDV) to facilitate meeting the NYSDEC goal of submitting final the Lake Ontario PCB TMDL to EPA for approval.	Progress Through 9/30/12 Reported on 10/31/12 and Progress Through 3/31/13 and Reported on 4/30/13	

Reporting on Progress

DEC will provide a narrative report on progress for Component 1b. and Component 2a. by October 31, 2012 and April 30, 2013. Progress will be reported separately on Component 1a. by December 31, 2012. DEC will advise the USEPA whether or not the commitment has been met, is on schedule to be met or is not expected to be met. In the latter case, the DEC will explain the reason for not achieving the commitment and when it is likely to be met. The USEPA will review the 604(b) Status Report and advise the DEC of its concerns by November 30, 2012 and May 31, 2013. The DEC will attend any meeting requested by the USEPA which is needed to clarify and/or resolve any issues and concerns.

Abbreviations and Acronyms

1. CWA - Clean Water Act
2. DEC - Department of Environmental Conservation
3. EPA - Environmental Protection Agency
4. DO - Dissolved Oxygen
5. MOA - Memorandum of Agreement
6. RPCPOs/IOs - Regional Public Comprehensive Planning Organizations or Interstate Organizations
7. TOGS - Technical and Operational Guidance Series
8. USEPA - United States Environmental Protection Agency
9. WQ - Water Quality
10. WQMP - Water Quality Management Planning
11. MDV - Multiple Discharge Variance
12. WQSMA - Water Quality Standards Manager's Association